

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

SERELL BUTTS,

Plaintiff,

File No: 2:11-CV-330

v.

HON. ROBERT HOLMES BELL

PAUL EYKE, et al.,

Defendants.

---

**ORDER APPROVING AND ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On August 22, 2012, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation ("R&R") recommending that Defendants' motion for summary judgment (Dkt. No. 18) be granted, and that Plaintiff's motion for leave to amend his complaint (Dkt. No. 56) be denied. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the R&R (Dkt. No. 63) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' motion for summary judgment (Dkt. No. 18) is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendants Kangas and Wolak are **DISMISSED WITHOUT PREJUDICE** for failure to exhaust grievance remedies against them, and that the remaining Defendants are **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that Plaintiff's motion for leave to amend his complaint (Dkt. No. 56) is **DENIED**.

Dated: September 14, 2012

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE